

SIKKIM



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**GOVERNMENT OF SIKKIM
MOTOR VEHICLES DIVISION, TRANSPORT DEPARTMENT
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No. GOS/TD/SECY/2020-21/726

Dated: 25/10/2021

NOTIFICATION

The following draft of certain rules which the State Government proposes to make, in exercise of the powers conferred under section 65, 95, 96 and 211 of the Motor Vehicle Act, 1988 (59 of 1988), is hereby published as required by sub-section (1) of section 212 of the said Act for information of all persons likely to be affected thereby and notice is hereby given that the said draft rules would be taken into consideration after the expiry of a period of 45(forty five) days from the date on which the copies of notification as published in the Official Gazette are made available to the public.

Objections and suggestions, if any, may be addressed to the Secretary to the Government of Sikkim, Transport Department, Gangtok, East Sikkim – 737101.

Any objections or suggestions, which may be received from any person with respect to the said draft rules before the expiry of the period so specified shall be considered by the State Government.

DRAFT RULES

- | | | |
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| Short title,
extent and
commencement | 1 | (1) These rules may be called the Sikkim Motor Vehicles (Amendment) Rules, 2021.

(2) They shall extend to the whole of Sikkim.

(3) They shall come into force on the date of their publication in the Official Gazette. |
| Insertion of
new rule 38 C | 2 | In the Sikkim Motor Vehicles Rules, 1991, (hereinafter referred to as "the said rules"), after rule 38 B, the following new rule shall be inserted namely:- |

"38 C. Regulation of Construction Equipment Vehicles and Machinery:-

- (1) All owners of Construction Equipments and Machineries brought from outside the State (including those which do not require registration), for project related work, shall obtain Temporary Project Area Permit.
- (2) Every application under sub-rule (1) above shall be accompanied with the following, namely:-
 - (a) An application,
 - (b) Vehicle Sale Certificate,
 - (c) Vehicle Invoice,
 - (d) fees as prescribed under rule 93 of Sikkim Motor Vehicles Rules, 1991,
 - (e) Work order issued by the State Government/concerned Department.
- (3) The Regional Transport Office shall compile and forward the applications with all relevant documents to the office of the Secretary, Transport Department for obtaining approval for issue of Temporary Project Area Permit."

**Amendment of
rule 93**

- 3 In the said rules, in rule 93,-
 - (i) For sub-rules (1),(2),(3),(4) and (5)the following sub-rules shall be substituted, namely:-

"(1) Every application for grant or renewal of permit/ countersignature shall be accompanied by a Bank receipt or by online payment by electronic medium, for having paid the fees specified in sub rule (2).

(2) Fee for grant or renewal of permits:-

(a) Fee in respect of application for grant of or renewal of a permit for vehicles registered in Sikkim shall be as follows:-

(i) Goods Carriage (individual and private firms)	Rs 2000/year
(ii) Goods carriage (Hydel projects/pharmaceuticals/ Airport and other projects to ply within project Area.	Rs 12000/year
(iii) Construction equipments & Machinery (except Agricultural Tractors)(individual and private firms)	Rs 5000/year
(iv) Construction equipments & Machinery (except Agriculture Tractors) (Hydel projects/pharmaceuticals/Airport and other projects to ply Within project Area.	Rs 10000/year

- | | |
|---|------------------------|
| (v) Contract Carriage-
(other than motor cab and maxi cab) | Rs 2000/year |
| (vi) Contract Carriage
(motor cab and maxi cabs) | Rs 400/year |
| (vii) Stage Carriage (SNT only) | Rs 1000/year |
| (viii) Stage Carriage (private owned
under SNT undertaking & educational
institutions) | Rs 3000/year |
| (ix) Stage Carriage (Company owned) | Rs 10000/year |
| (x) Super Luxury Tourist vehicle | RS 3000/Year |
| (xi) Luxury Tourist Vehicle | Rs 2000/year |
| (b) Grant of Countersignature permit for West Bengal
Registered vehicles under Reciprocal Transport Agreement: - | |
| (i) Goods Carriers - | Rs 3000/year |
| (ii) Stage Carriages - | Rs 3000/year |
| (iii) Contract Carriage -
(other than motor cab and maxi cab) | Rs 2500/year |
| (iv) Contract Carriage
(motor cab and maxi cabs) | Rs 2500/year |
| (c) Grant of recommendation of countersignature
under Reciprocal Transport Agreement:- | |
| (i) Goods Carriers - | Rs 2000/year |
| (ii) Stage Carriages - | Rs 2000/year |
| (iii) Contract Carriage -
(other than motor cab and maxi cab) | Rs 2500/year |
| (iv) Contract Carriage
(motor cab and maxi cabs) | Rs 1000/year |
| (d) The fee for grant of temporary or special permit shall be as
follows:- | |
| (i) Goods Carriers - | Rs 400/trip |
| (ii) Stage Carriages - | Rs 200/week |
| (iii) Contract Carriage -
(other than motor cab and maxi cab) | Rs 150/week |
| (iv) Contract Carriage
(motor cab and maxi cabs) | Rs 100/week |
| (e) Tourist bus (All India) | As per CMV Rules, 1989 |

- (f) Private service vehicle:-
- | | |
|--|---------------------|
| (i) Grant and renewal of permits
(All Sikkim) | Rs 10,000 / 5 years |
| (ii) One district | Rs 3000 / 5 years |
- (g) Late Fee: -
The fee for renewal of route permit for all categories of motor vehicles shall be paid within a grace period of 15 (fifteen) days from the date on which the fees become payable. The penalty shall be imposed after the expiry of the grace period. If the last date of the grace period is a Sunday or a public holiday, the fees shall be accepted without penalty on the next working day. The penalty shall be as under:-
- (i) After the expiry of 15 (fifteen) days grace period, the penalty shall be 50 % of the fee prescribed.
- (ii) After the expiry of 30 (thirty) days grace period, the penalty shall be 100 % of the fee prescribed.
- (3) The cost of application forms prescribed under the Motor Vehicles Act, 1988, Central Motor Vehicles Rules, 1989 and the Sikkim Motor Vehicles Rules, 1991 shall be Rs 8 (eight) only per set of forms.
- (4) Fee for the grant, renewal or endorsement therefore, extension of permit shall be Rs 500 (five hundred) only in respect of each vehicle.
- (5) An additional fee of fifty percent of the fee prescribed for renewal of the permit under this rule shall be paid in respect of an application under sub –section (3) of section 81 of the Act.”
- (ii) The existing sub-rule (6) shall be renumbered as sub-rule (9) and before sub-rule (9) as so renumbered, for the existing sub-rule (7), the following sub-rules shall be substituted namely:-
- “(6) Entry permit fees:-
The entry permit fee for transport vehicles entering Sikkim (other than those plying on countersignature basis under the Reciprocal Transport Agreement) shall be-
- | | |
|--|-------------|
| (a) Goods Carriers - | Rs 700/day |
| (b) Stage Carriages - | Rs 500/day |
| (c) Contract Carriage -
(other than motor cab and maxi cab) | Rs 100/day |
| (d) Contract Carriage
(motor cab and maxi cabs) | Rs100/day |
| (e) Multi Axle Trailers from 25 Mt
GVW upto 35.2 MT GVW | Rs 1000/day |

(f) Multi Axle Trailers above 35.2 MT Rs 1500/day
GVW

(7) Temporary Project Area Permit:-

(a) Any Goods Carriers brought from outside the State for project related work shall be granted Temporary permit to ply within the project area for the duration of the project, on payment of the following fees;

(i) Goods Carriers up to 18500 GVW Rs 15000/Month

(ii) Goods Carriers up to 25000 GVW Rs 20000/Month

(b) Any Construction Equipments vehicles, Heavy Machineries and Earth Movers brought from outside (including those which does not require registration) for project related work shall be granted Temporary permit to ply within the project area for the duration of the project on payment of the following fees;

(i) in case of Individuals having Sikkim Subject Certificate (SSC) and Certificate of Identification (COI) and are exempted from paying income tax as per the Income Tax Act, 1961 (Sikkim Specific),

(A) GVW up to 7.5 MT Rs 2500/Month

(B) GVW from 7.5 MT to 12 MT Rs 7500/Month

(C) GVW from 12 MT to 30 Mt Rs 10000/Month

(D) above 30 Mt GVW Rs 15000/Month

(ii) In case of Hydel projects/pharmaceuticals/Airport and other projects to ply within project Area;

(A) GVW up to 7.5 MT Rs 5000/Month

(B) GVW from 7.5 MT to 12 MT Rs 15000/Month

(C) GVW from 12 MT to 30 Mt Rs 20000/Month

(D) above 30 Mt GVW Rs 30000/Month

(8) The penalty for plying without obtaining Temporary Project Area Permit under rule 38 C, rule 43 (7) and without Entry Permit, shall be four times the normal fees as applicable under rule 93 of the Sikkim Motor Vehicles Rules, 1991."

P.N Sherpa (Mr.)
Secretary
Transport Department.

